

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 14, 1958
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Pearson, White, Mayor Miller

Absent: Councilman Palmer

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by REV. SAM FORE, Tarrytown Methodist Church, 2601 Exposition Boulevard.

Councilman White moved that the Minutes of the Meeting of August 7th, and of the Special Meetings of June 30, July 8th, July 15th, July 21st and July 22nd, be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, White, Mayor Miller

Noes: None

Absent: Councilman Palmer

MR. RODNEY LARSON appeared before the Council regarding draining the swimming pool in South Austin, and keeping the pool closed until he had the steel down for his bridge; that just as they were ready to proceed, the pool was drained, and the work was flooded. Several suggestions were made, and the matter was turned over to the City Manager to work out.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, an easement for public utilities was reserved and dedicated to the public along and across two (2) strips of land, each being five (5.00) feet in width, the strip of land hereinafter described as No. 1 being out of

and a part of Lot 46 and No. 2 being out of and a part of Lot 47, Tarry-Town, said Tarry-Town being a subdivision of a portion of Daniel J. Gilbert Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Tarry-Town of record in Book 3 at page 213 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the release of said easements; and,

WHEREAS, the hereinafter described easements are not now needed for public utilities and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a release of the easements for public utilities on the hereinafter described premises, to wit:

Two (2) strips of land each of the said two (2) strips of land being five (5.00) feet in width the strip of land hereinafter described as No. 1 being out of and a part of Lot 46 of Tarry-Town the strip of land hereinafter described as No. 2 being out of and a part of Lot 47 of said Tarry-Town said Tarry-Town being a subdivision of a portion of Daniel J. Gilbert Survey in the City of Austin, Travis County, Texas according to a map or plat of said Tarry-Town of record in Book 3 at Page 213 of Plat Records of Travis County, Texas each of the said two (2) strips of land five (5.00) feet in width being more particularly described as follows:

NO. 1 BEING the west five (5.00) feet of said Lot 46 of Tarry-Town.

NO. 2 BEING the east five (5.00) feet of said Lot 47 of Tarry-Town.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, White, Mayor Miller

Noes: None

Absent: Councilman Palmer

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH NASH PHILLIPS AND CLYDE COPUS, JR.; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, White, Mayor Miller
 Noes: None
 Absent: Councilman Palmer

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, White, Mayor Miller
 Noes: None
 Absent: Councilman Palmer

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, White, Mayor Miller
 Noes: None
 Absent: Councilman Palmer

The Mayor announced that the ordinance had been finally passed.

The City Manager explained the request for construction of an ammonia line for Superior Dairies. After discussion, Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the application of Superior Dairies, Inc. to construct and maintain the hereinafter described underground improvements:

One 4" steel ammonia suction line and one 1" steel liquid ammonia line, both to be installed along the following described center line:

Two (2) line assignments, the line hereinafter described as No. 1 being in that certain street known as Sabine Street in the City of Austin, Travis County, Texas, as shown on a map or plat of Original City on file in the General Land Office of the State of Texas the line hereinafter described as No. 2 being in that certain street in the City of Austin known as East 1st Street shown on Water Street on said map of original City of Austin each of the said two (2) lines being more particularly described as follows:

NO. 1 BEING a line two (2.00) feet east of and parallel to the west line of said Sabine Street and extending from the north line of East 1st Street in a northerly direction 90.00 feet.

NO. 2 BEING a line thirty-eight (38.00) feet east of the centerline of said Sabine Street and its southerly prolongation, said line extending from the north line of East 1st Street to the south line of East 1st Street.

be and the same is hereby granted and the Building Inspector is hereby authorized to issue a permit for the construction of such improvements, said grant and permit to be subject to the following conditions:

- (1). The improvements shall be constructed and maintained in compliance with all ordinances relating thereto,
- (2). The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulations of the City of Austin, now existing or hereafter adopted,
- (3). The repair or relocation of any and all utilities in the vicinity necessitated by the laying of these improvements shall be done at the expense of Superior Dairies, Inc.,
- (4). Superior Dairies, Inc. will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction or maintenance of said improvements,
- (5). The City of Austin may revoke such permit at any time and upon such revocation the owner of such lines will remove the same and pay all costs and expenses attendant therewith.

The motion, seconded by Councilman Pearson, carried by the following vote:
 Ayes: Councilmen Long, Pearson, White, Mayor Miller
 Noes: None
 Absent: Councilman Palmer

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 30.05 ACRES OF LAND BEING A PORTION OF THAT CERTAIN 49.21 ACRE TRACT OF LAND OUT OF AND A PART OF THE A. W. CANFIELD SURVEY NO. 11 IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULAR STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, White, Mayor Miller
 Noes: None
 Absent: Councilman Palmer

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager be and he is hereby authorized and directed to execute on behalf of the City of Austin, Texas, Amendment No. 1 to that certain Grant Agreement with the United States of America, Department of Commerce, Civil Aeronautics Administration designated Contract No. C2ca-5576-A, Robert Mueller Municipal Airport, Project No. 9-41-078-5803 in accordance with the terms and provisions of said Amendment No. 1 to said Grant Agreement, as exhibited to the City Council by the City Manager and attached hereto; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby authorized and directed to keep this Resolution together with the attached Amendment No. 1 to said Grant Agreement in the permanent files of the City of Austin without recording said Amendment No. 1 at length upon the Minutes of the City Council.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Palmer

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin has heretofore on the 4th day of June, 1958, entered into a contract with Giesen & Latson Construction Co. for the reconstruction and improvement of the northwestern 4150 feet of runway 12-30 (instrument landing system runway); and,

WHEREAS, Amendment No. 1 to that certain Grant Agreement with the United States of America, Department of Commerce, Civil Aeronautics Administration, designated Contract No. C2ca-5776-A, Robert Mueller Municipal Airport, Project No. 9-41-078-5803, has made it possible and desirable for the city's engineers and the City Manager to prepare Change Order No. 1 to said contract; and,

WHEREAS, it is recommended by the City Manager that there be reconstructed portions of runway 16L-34R between runways 12-30 and 3-21 and runway 3-21 between runways 12-30 and 16L-34R; and,

WHEREAS, the City Council has considered and desires to approve the execution and delivery of such Change Order by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute and deliver to said Giesen & Latson Construction Co. said Change Order No. 1, to be dated August 14, 1958, so as to provide for said extra work in the amount of \$24,624.45 for the reconstruction of 678.35 linear feet of runway 16L-34R and 350 linear feet of runway 3-21.

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Long, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Palmer

The Mayor asked that the paving on West 35th Street be checked to see about the ridges that had been left in it.

Councilman Long asked that the intersection of Pedernales and East 1st Street be checked, as there was an uneven place there; and with the truck traffic there was quite a bit of noise, which kept people awake at night.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

SECTION 1. That the certain Municipal Construction and Maintenance Agreement, dated August 14, 1958, between the City of Austin and the State of Texas, on all of the street within the city limits of such city and within the limits of the Interchange of Loop 293, State Highway 71, and U. S. 183, be and the same is hereby approved and W. T. Williams, Jr., City Manager, is hereby authorized to execute said contract on behalf of said city and to transmit the same to the State of Texas for appropriate action.

SECTION 2. That this Resolution shall take effect immediately upon its passage.

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Long, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Palmer

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

SECTION 1. That the certain Municipal Construction and Maintenance Agreement, dated August 14, 1958, between the City of Austin and the State of Texas, on Woodruff Street within such city, from Congress Avenue east to city limits (200 feet east of Congress Avenue centerline, the route of Highway No. Loop 293), be and the same is hereby approved and W. T. Williams, Jr., City Manager, is hereby authorized to execute said contract on behalf of said city and to transmit the same to the State of Texas for appropriate action.

SECTION 2. That this Resolution shall take effect immediately upon its passage.

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Long, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Palmer

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by resolution adopted on July 2, 1953, the Council authorized Thomas Fourqurean as administrator of Brackenridge Hospital to execute applications to the United States of America for permits to use alcohol, free of tax; and

WHEREAS, since the resignation of Thomas Fourqurean, as administrator, there has been no person duly authorized to execute such permits, Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That James Russell Horton, Administrator of Brackenridge Hospital, be and he is hereby authorized to execute in behalf of the City of Austin, applications to the United States of America, for permits to use alcohol, free of tax, in Brackenridge Hospital, a hospital owned and operated by the City of Austin in Austin, Texas.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, White, Mayor Miller

Noes: None

Absent: Councilman Palmer

The Mayor complimented the City Attorney on the fine results obtained in the recent court decision.

Councilman Long moved that permission be granted for the use of the following buildings for the Second Primary Election to be held Saturday, August 23, 1958:

Pan American Recreation Center, 2100 East 3rd Street

Doris Miller Auditorium

Govalle Fire Station, 829 Airport Boulevard

Airport Boulevard Fire Station, 4305 Airport Blvd.

North Austin Fire Station ("old" on Guadalupe)

Austin Public Library, Basement

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, White, Mayor Miller

Noes: None

Absent: Councilman Palmer

Councilman Pearson suggested that in the elections that some signs be placed with the precinct numbers and "vote here", so that people could locate the polling places more easily.

The Council discussed the opening of Pressler Street. It was not the recommendation of the City Manager to extend the street, as there was no public need.

The City Manager reported on an incident regarding the bonding company that covered the construction company who had the Tannehill Branch Sewer Project, and on the experience had with the particular bonding company. The same bonding company had offered a bond covering another large contract, and the city, on account of the experience with the company, had not accepted the bond. The City Attorney and the City Manager explained in detail the whole matter, and lengthy discussion was held. The Mayor requested that the City Manager ask the company to come and be heard before the Council as to why their new bond should be accepted, and to report on what disposition they were making in the previous case.

The Council informally agreed to grant permission to the following to sell Christmas trees:

- South Austin Optimist Club - (to use property just off Lamar south of the river.)
- Down-town Optimist Club - (to use property at 28th and Lamar.)

The Council scheduled a visit to the Auditorium to consider colors, and concession facilities.

Councilman White moved that the City Manager be authorized to exercise an option with the Humble Oil Company for ninety days, on the property trade now pending between the City and the Humble Oil Company. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, White, Mayor Miller
 Noes: None
 Absent: Councilman Palmer

MR. VIC SCHMIDT made a report on the sewer service at 6107 Cary, for DON W. MORGAN. No action was taken at this time.

The Council received notice from the City Manager that the following zoning applications had been referred to the Planning Commission and set for public hearing before the Council for September 18, 1958:

RALPH HANNA, M.D.	106-110 East 30th Street 3001-07 Cedar Street	From "B" Residence To "O" Office
MRS. A. W. SUMMERS	2500 San Gabriel 1000-1002 West 25th St.	From "B" Residence To "LR" LocalRetail
JESSE J. BARTLETT & JANEEL HOLMAN	2400-02 South 1st St. 601-03 Oltorf Street	From "C" Commercial & "GR" GeneralRetail To "C-1" Commercial
JOE M. BOYER	2201-13 Redwood Avenue	From "A" Residence To "D" Industrial
ROGER A. GARCIA	2013 Willow Street	From "A" Residence To "LR" Local Retail

G. C. CARLIN

600 Vargas Road
6507-11 Estrada St.

From "A" Residence
To "LR" Local Retail

BOBBY LAYNE REALTY CO.

515-615 South Lamar
Boulevard

From "C" Commercial
To "C-1" Commercial

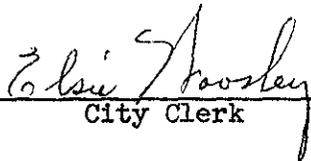
There being no further business, the Council adjourned at 12:30 P.M.
subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:



City Clerk